

Application No.: 09/972772

Docket No.: PPI-106CP

REMARKS

In the Advisory Action dated April 1, 2005, the Examiner indicated that the amendments dated March 7, 2005 overcome the objections and rejections set forth in the Office Action dated December 6, 2004 and that this amendment will be entered. The Examiner further indicates that the obviousness type double patenting rejection over U. S. Application No.: 10/138,935 can not be withdrawn.

Accordingly, in the interest of expediting prosecution, Applicants submit herewith a terminal disclaimer over U. S. Application No.: 10/138,935, accompanied by the required fee set forth in 37 C.F.R. § 1.20(d). Applicants submit that the terminal disclaimer complies with 37 C.F.R. §1.321 (b) and (c). Accordingly, Applicants respectfully request that the outstanding obviousness-type double patenting rejection be withdrawn. The filing of this terminal disclaimer should in no way be construed as an acquiescence to the Examiner's obviousness-type double patenting rejection and was done solely to expedite the prosecution of the application.

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CONCLUSION

In view of the foregoing remarks, Applicants believes that the instant application is in condition for allowance. If a telephone conversation with Applicants' Attorney would expedite prosecution of the above-identified application, the Examiner is urged to call the undersigned at (617) 227-7400.

Applicants believe that the only fee due in connection with this response is for the Terminal Disclaimer. However, if any additional fees are due, please charge our Deposit Account No. 12-0080, under Order No. PPI-106CP from which the undersigned is authorized to draw.

Dated: June 3, 2005

Respectfully submitted,

By 

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